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**OFFICE OF THE DISTRICT ATTORNEY
NASSAU COUNTY**

September 7, 2022

Hon. Anne M. Donnelly
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Courtroom 4GN
Brooklyn, New York 11201

Re: *Scrimo v. Lee*, 11-CV-4171 (AMD)

Dear Judge Donnelly:

I am writing to inform this Court of the steps the State has taken to continue to fulfill its obligation, pursuant to the order of the United States Court of Appeals for the Second Circuit, to take “concrete and substantial steps to expeditiously retry Scrimo.” *Scrimo v. Lee*, No. 17-3434, 2019 WL 3924811 (2d Cir. August 20, 2019) (granting Scrimo’s petition for writ of habeas corpus). Due to the pandemic-related backlog of trials, the parties now expect the trial to take place in November 2022. Assistant District Attorney Nicole Aloise is, along with defense counsel, preparing for trial. The case is next calendared for an update on October 11, 2022. Thank you for your attention in this matter, and if there are any questions, please do not hesitate to contact me.

Respectfully yours,

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